
STATUTORY INSTRUMENTS

2023 No. 454

**The Energy Bills Discount Scheme
(Northern Ireland) Regulations 2023**

PART 2

Discounted supply price

CHAPTER 3

Energy and Trade Intensive Industries and Domestic Heat Consumers

ETII customers

- 18.**—(1) The customer under a supply contract is an ETII customer if—
- (a) energy supplied under the supply contract is—
 - (i) energy supplied or otherwise made available, or
 - (ii) energy used to make heating, hot water or electricity available,to a certified ETII operator to carry on an ETII qualifying activity (“ETII energy”), and
 - (b) the supplier under the supply contract has received that certified ETII operator’s ETII certificate in accordance with paragraph (2).
- (2) For the purposes of paragraph (1), a supplier may receive an ETII certificate—
- (a) if the customer under the supply contract is a certified ETII operator, from the Secretary of State or from the customer, or
 - (b) from a provider that is its customer.
- (3) A certified ETII operator may send its ETII certificate to its immediate ETII provider.
- (4) Subject to paragraph (5), if a provider that is not a supplier receives an ETII certificate from a certified ETII operator or a lower-tier provider, the provider must as soon as reasonably practicable send the ETII certificate—
- (a) to each higher-tier provider, and
 - (b) if the provider is a customer, to the Secretary of State.
- (5) If a provider that is not a supplier receives an ETII certificate and has no higher-tier provider, the provider must as soon as reasonably practicable give notice to the Secretary of State—
- (a) identifying the ETII certificate, and
 - (b) stating that the provider—
 - (i) has received the certificate, and
 - (ii) is not a main scheme provider in relation to the certified ETII operator to which it relates.
- (6) A supplier that has an ETII customer must give notice—

Changes to legislation: There are currently no known outstanding effects for the The Energy Bills Discount Scheme (Northern Ireland) Regulations 2023, Section 18. (See end of Document for details)

- (a) unless it received the ETII certificate from the Secretary of State, to the Secretary of State, identifying the ETII customer as such;
- (b) to the ETII customer, informing or confirming to it that it is an ETII customer.

Commencement Information

II Reg. 18 in force at 26.4.2023, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Energy Bills Discount Scheme (Northern Ireland) Regulations 2023, Section 18.